

DF

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
THE ANNUITY, PENSION, WELFARE and TRAINING  
FUNDS of the INTERNATIONAL UNION OF OPERATING  
ENGINEERS, LOCAL 14-14B, AFL-CIO by its TRUSTEES  
EDWIN L. CHRISTIAN, CHRIS CONFREY, JOHN CRONIN,  
FRANCIS P. DiMENNA, ALFRED GEROSA, JOHN HYERS,  
DANIEL NOESGES and JOHN F. O'HARE, and JOHN and  
JANE DOE, as Beneficiaries of the ANNUITY, PENSION,  
WELFARE and TRAINING FUNDS of the INTERNATIONAL  
UNION OF OPERATING ENGINEERS, LOCAL 14-14B,  
AFL-CIO,

**STIPULATION OF  
DISCONTINUANCE  
WITH PREJUDICE**

CV-06-1023(ARR)(KAM)

Plaintiffs,

-against-

LES SUB SURFACE PLUMBING CO. and  
LES FISCHER, individually,

Defendants.  
-----X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the  
attorneys of record for the parties to the above-entitled action, that whereas no party is an infant,  
incompetent person for whom a committee has been appointed and no person not a party has an  
interest in the subject matter of the action, the above-entitled action be, and the same hereby is  
discontinued with prejudice as against Defendants LES SUB SURFACE PLUMBING CO. and LES  
FISCHER and without costs to either parties as against the others. This Stipulation may be filed  
without further notice with the Clerk of the Court.

Dated: Hastings-on-Hudson, New York  
June 30, 2006

BRADY MCGUIRE & STEINBERG, P.C.

By: James M. Steinberg  
Attorneys for Plaintiffs  
603 Warburton Avenue  
Hastings-on-Hudson, New York 10706  
(914) 478-4293

So Ordered: James M. Steinberg

GUTMAN & GUTMAN, LLP

By: Andrew E. Gutman  
Attorneys for Defendants  
19 Roslyn Road  
Mineola, New York 11501  
(516) 248-0470

The Honorable Allyne R. Ross, U.S.D.J.

7/26/06